

LIST OF EXHIBITS AND WITNESSES

FILED
CLERK, U.S. DISTRICT COURT

September 25, 2017

CENTRAL DISTRICT OF CALIFORNIA
BY: TG DEPUTY

[illegible]

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PHARMA, INC.; DOCTOR'S
CLINICAL, INC., d/b/a U.S.
Doctor's Clinical; GERO VITA;
NUTRIVITA LABORATORIES,
INC.; VITASTRONG, INC.,
d/b/a GardaVita

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

IMAGENETIX, INC.,

Plaintiff,

v.

ROBINSON PHARMA, INC., et. al.,

Defendants.

Case No. SACV15-599 JLS (JCGx)

**SECOND AMENDED JOINT
EXHIBIT LIST**

Fact Discovery Cut-Off: 7/26/16
Pre-Trial Conference Date: 3/3/17
Trial Date: 3/28/17

Approved by Plaintiff:

Approved by Defendants:

Second Amended Joint Exhibit List¹

Case Name: Imagenetix, Inc. v. Robinson Pharma, *et al.*

Case Number: SACV15-599 JLS (JCGx)

| Exhibit Number | Description | Stip. to Aut hen. | Stip. to Admiss. | Date Identifie d | Date Admitted |
|----------------|--|-------------------|------------------|------------------|---------------|
| 1 | Phan Depo Ex. 2 (2015) - Robinson Pharma Org. Chart (Robinson000001) | X ² | | | |
| 2 | Phan Depo Ex. 2 (2016) - 2015 emails re: Daymon and K Mart with Robinson Pharma (Arthro-7) (Robinson012068-73) | X | | 9/20/17 | 9/20/17 |
| 3 | Phan Depo Ex. 3 (2015) - Mail advertisements for the Accused Products (Robinson000107-109) | X | | 9/21/17 | 9/21/17 |
| 4 | Phan Depo Ex. 3 (2016) - Robinson Pharma income statement (NATHAN & ASSOC. 2-4) | X | | 9/20/17 | 9/20/17 |
| 5 | Phan Depo Ex. 4 (2015) - Mail advertisements for the Accused Products (Robinson000111) | X | | | |
| 6 | Phan Depo Ex. 4 (2016) - VitaStrong income statement (NATHAN & ASSOC. 600-603) | X | | | |
| 7 | Phan Depo Ex. 5 (2015) - | X | | | |

¹ Exhibits marked with an asterisk (*) may be offered by a party only if the need arises.

² X indicates that the parties stipulate as to authenticity.

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|----|---|---|--|---------|---------|
| | U.S. Doctors' Clinical Arthro-7 advertisement (IMAG-0000280-282) | | | | |
| 8 | Phan Depo Ex. 5 (2016) - Formula Code Detail Cost Structure for Arthro-8 capsules (Robinson012027-29) | X | | 9/19/17 | 9/19/17 |
| 9 | Phan Depo Ex. 6 (2015) - "Effects of Arthro-7® in relieving symptoms of osteoarthritis with mild to moderate arthralgia" study (Robinson000025-31) | X | | 9/19/17 | 9/19/17 |
| 10 | Phan Depo Ex. 6 (2016) - Gero Vita International income statement (NATHAN & ASSOC. 579-589) | X | | | |
| 11 | Phan Depo Ex. 7 (2015) - "Effects of AR7 Joint Complex on arthralgia for patients with osteoarthritis: Results of a three-month study in Shanghai, China" study (Robinson000019-24) | X | | | |
| 12 | Phan Depo Ex. 7 (2016) - Robinson Pharma, Inc. total purchase of CMO (Robinson012065) | X | | | |
| 13 | Phan Depo Ex. 8 (2015) - February 6, 2014 Letter from Kotchen & Low LLP to Robinson Pharma, Inc. (IMAG-00001018) | X | | | |
| 14 | Phan Depo Ex. 8 (2016) - 2015 email re: Daymon and | X | | | |

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|----|---|---|--|---------|---------|
| | K Mart with Robinson Pharma (Robinson012078) | | | | |
| 15 | Phan Depo Ex. 9 (2015) - November 6, 2013 Letter from Kotchen & Low LLP to GardaVita (IMAG-00000605) | X | | | |
| 16 | Phan Depo Ex. 9 (2016) - John Hahn, DPM, ND presentation titled Nutriceuticals and Alternative Therapies for the Treatment of Joint and Ankle Pain (NATHAN & ASSOC. 25- 42) | X | | 9/20/17 | 9/20/17 |
| 17 | Phan Depo Ex. 10 (2015) - February 6, 2014 Letter from Kotchen & Low LLP to Gero Vita, Inc. (IMAG-00000797) | X | | | |
| 18 | Phan Depo Ex. 10 (2016) - Arthro-7 PowerPoint presentation (NATHAN & ASSOC. 11- 24) | X | | 9/19/17 | 9/19/17 |
| 19 | Phan Depo Ex. 11 (2015) - Alpha Health Research / DRM Resources company overview webpage (IMAG-0000351) | X | | | |
| 20 | Phan Depo Ex. 11 (2016) - DRM Resources LinkedIn page (IMAG-0008631) | X | | | |
| 21 | Phan Depo Ex. 12 (2015) - Gero Vita, Inc. sale | X | | | |

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|----|----|---|---|--|---------|---------|
| 1 | | summary of Arthro-7 (Robinson000002) | | | | |
| 2 | 22 | Phan Depo Ex. 12 (2016) - Arthro-7 advertisement (NATHAN & ASSOC. 562) | X | | | |
| 3 | 23 | February 6, 2014 Letter from Kotchen & Low LLP to Nutrivita Laboratories, Inc. (IMAG-00001007) | X | | | |
| 4 | 24 | February 6, 2014 Letter from Kotchen & Low LLP to Arthro-7, Inc. (IMAG-00000254) | X | | | |
| 5 | 25 | Excerpts from Sales data for the Accused Products and Arthro-7 Cost Counts (Robinson000202-4296; Robinson007533-12024; Robinson012066) | X | | | |
| 6 | 26 | Defendants' registrations with the Secretary of State (Robinson000007-18) | X | | | |
| 7 | 27 | Arthro-7 and Arthro-8 packaging materials (Robinson000035-36) | X | | 9/19/17 | 9/19/17 |
| 8 | 28 | Emails between Imagenetix and Robinson Pharma (Robinson000040-46) | X | | | |
| 9 | 29 | Advertisements for the Accused Products - magazines (Robinson000047-62) | X | | | |
| 10 | 30 | Advertisements for the Accused Products - mailers (Robinson000063-84) | X | | | |
| 11 | 31 | Advertisements for the Accused Products - mailers (Robinson000085-96) | X | | | |

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|----|----|--|---|--|---------|---------|
| 1 | 32 | Advertisements for the Accused Products - mailers (Robinson000097-106) | X | | | |
| 2 | | | | | | |
| 3 | 33 | Advertisements for the Accused Products - letters (Robinson000107-131) | X | | 9/20/17 | 9/20/17 |
| 4 | | | | | | |
| 5 | 34 | Robinson Pharma packing slips (Robinson000132-196) | X | | | |
| 6 | | | | | | |
| 7 | 35 | Robinson Pharma formulas, blending instructions, and weight sheets (Robinson012025-12064) | X | | 9/20/17 | 9/20/17 |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | 36 | Doctor's Clinical, Inc. customer contact list (Robinson012067) | X | | | |
| 11 | | | | | | |
| 12 | 37 | 2015 Emails re: Bartell Drugs and US Doctor's Clinical: Arthro-7: McKesson (Robinson012080-81) | X | | | |
| 13 | | | | | | |
| 14 | | | | | | |
| 15 | 38 | 2015 Emails re: Traffic and Revised Creative – USDC Arthro 7 (Robinson012082-87) | X | | | |
| 16 | | | | | | |
| 17 | | | | | | |
| 18 | 39 | 2015 Emails re: Arthro7 (Robinson012088-93) | X | | | |
| 19 | | | | | | |
| 20 | 40 | 2015 Emails re: Arthro7 Retail Boxes (Robinson012093-95) | X | | | |
| 21 | | | | | | |
| 22 | 41 | 2015 Emails re: Arthro7 Offer (Robinson012096-97) | X | | | |
| 23 | | | | | | |
| 24 | 42 | 2015 Emails re: Arthro7 Commercial Logo Approval (Robinson012115-16) | X | | | |
| 25 | | | | | | |
| 26 | 43 | 2015 Emails re: A7 – Rite | X | | | |

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|----|----|---|---|--|---------|---------|
| 1 | | Aid (Robinson012119-20) | | | | |
| 2 | 44 | 2015 Emails re: AmerisourceBergen to Attend ECRM's Health Care Event! (Robinson012124-27) | X | | | |
| 3 | | | | | | |
| 4 | | | | | | |
| 5 | 45 | 2015 Emails re: Arthro 7 new item (Robinson012128-29) | X | | | |
| 6 | | | | | | |
| 7 | 46 | 2015 Emails re: Arthro 7 Promotions at Walgreens (Robinson012346-55) | X | | | |
| 8 | | | | | | |
| 9 | 47 | 2015 Emails re: Arthro 7 – USDC (Robinson012198-99) | X | | | |
| 10 | | | | | | |
| 11 | 48 | 2015 Emails re: Arthro7 (Robinson012200-43) | X | | | |
| 12 | | | | | | |
| 13 | 49 | 2015 Emails re: Arthro-7 / U.S. Doctors' Clinical (Robinson012244-66) | X | | 9/20/17 | 9/20/17 |
| 14 | | | | | | |
| 15 | 50 | 2015 Emails re: Arthro-7 / USDC (Robinson012267-77) | X | | | |
| 16 | | | | | | |
| 17 | 51 | 2015 Emails re: Arthro-7 / USDC (Robinson012278-86) | X | | | |
| 18 | | | | | | |
| 19 | 52 | 2015 Email re: Arthro-7 for Bulu Box (Robinson012319) | X | | | |
| 20 | | | | | | |
| 21 | 53 | 2015 Emails re: Arthro-7 for Raley's stores (Robinson012320-37) | X | | | |
| 22 | | | | | | |
| 23 | 54 | 2015 Emails re: Arthro-7 Kroger Promotions (Robinson012320-27) | X | | | |
| 24 | | | | | | |
| 25 | 55 | 2015 Emails re: Arthro-7 on | X | | | |
| 26 | | | | | | |

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|----|---|---|--|---------|---------|
| | Walgreens.com (Robinson012336-39) | | | | |
| 56 | 2015 Email re: Arthro 7 Pricing (Robinson012343) | X | | | |
| 57 | 2015 Emails re: Cardinal Health Distributor (Robinson012356-57) | X | | | |
| 58 | 2015 Emails re: COI – Certificate of Insurance USDC Arthro-7 (Robinson012358-59) | X | | | |
| 59 | 2015 Emails re: CVS (Robinson012360-74) | X | | | |
| 60 | 2015 Email re: Distributor / Retailer NDA requirement (Robinson012381) | X | | | |
| 61 | 2015 Emails re: Doctor's Clinical, Inc. EDI Testing / Certification (Robinson012382-86) | X | | | |
| 62 | 2015 Emails re: ECRM (Robinson012406-08) | X | | | |
| 63 | 2015 Emails re: Doctor's Clinical Inc has not completed the vendor On- boarding process (Robinson012409-10) | X | | | |
| 64 | 2015 Emails re: Hi-School Pharmacy and Robinson Pharma ECRM Follow up (Robinson012411-15) | X | | 9/20/17 | 9/20/17 |
| 65 | 2015 Emails re: I-Herb and USDC / Robinson Pharma (Robinson012416-18) | X | | | |
| 66 | 2015 Emails re: New Vendor Setup Item Questions – Doctor's Clinical | X | | | |

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|----|----|--|---|--|--|--|
| 1 | | (Robinson012419-21) | | | | |
| 2 | 67 | 2015 Emails re: Opportunity for Arthro-7 (Robinson012427-28) | X | | | |
| 3 | | | | | | |
| 4 | 68 | 2015 Emails re: Sears Holdings Onboarding (Robinson012442-43) | X | | | |
| 5 | | | | | | |
| 6 | 69 | 2015 Emails re: Shopko (Robinson012444-49) | X | | | |
| 7 | | | | | | |
| 8 | 70 | 2015 Emails re: Swanson Health Products and US Doctor's Clinical (Robinson012450-53) | X | | | |
| 9 | | | | | | |
| 10 | 71 | 2015 Emails re: Updates (Robinson012454-60) | X | | | |
| 11 | | | | | | |
| 12 | 72 | 2015 Emails re: US Doctors' Clinical-Arthro-7 and K- Mart Meeting recap (Robinson012451-73) | X | | | |
| 13 | | | | | | |
| 14 | 73 | 2015 Emails re: I-Herb: Item Mix (Robinson012475-76) | X | | | |
| 15 | | | | | | |
| 16 | 74 | 2014 Email re: Arthro 7 (Robinson012479) | X | | | |
| 17 | | | | | | |
| 18 | 75 | 2011 Email re: Arthro 7 volumes (Robinson012480) | X | | | |
| 19 | | | | | | |
| 20 | 76 | 2011 Emails re: Weekly Call 9-6 Recap (Robinson012482) | X | | | |
| 21 | | | | | | |
| 22 | 77 | 2011 Emails re: Category 43 Items Needed Online (Robinson012484-97) | X | | | |
| 23 | | | | | | |
| 24 | 78 | 2011 Emails re: Arthro-7 (Robinson012498-03) | X | | | |
| 25 | | | | | | |
| 26 | 79 | 2011 Emails re: Arthro 7 | X | | | |

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|----|----|--|---|--------------------------|---------|---------|
| 1 | | Mass market (Robinson012504-06) | | | | |
| 2 | 80 | 2011 Emails re: Drug Store News pricing info (Robinson012507-10) | X | | | |
| 3 | | | | | | |
| 4 | 81 | 2011 Emails re: Arthro-7- April 2011/May 2011 Proud Sponsor Invoice (Robinson012511-13) | X | | | |
| 5 | | | | | | |
| 6 | | | | | | |
| 7 | 82 | Marcor Development Corporation certificates of analysis (Robinson012514-12546) | X | | 9/20/17 | 9/20/17 |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | 83 | U.S. Patent 5,569,676 (Dkt. #1-1) | X | | 9/19/17 | 9/19/17 |
| 11 | | | | | | |
| 12 | 84 | Amendment and Response to Office Action – Reexamination Proceeding (Dkt. #42-2) | X | | | |
| 13 | | | | | | |
| 14 | 85 | Patent Trial and Appeal Board of the United States Patent and Trademark Office decision affirming the validity of the '676 Patent (Robinson007346-60) | X | | | |
| 15 | | | | | | |
| 16 | | | | | | |
| 17 | | | | | | |
| 18 | 86 | Complaint (Dkt. #1) | X | | | |
| 19 | | | | | | |
| 20 | 87 | Answer (Dkt. #24) | X | | | |
| 21 | | | | | | |
| 22 | 88 | All of Plaintiff's Discovery Requests | X | | | |
| 23 | 89 | All of Defendants' Discovery Responses | X | Not for deliberations | 9/20/17 | 9/20/17 |
| 24 | 90 | Joint Discovery Stipulation (Dkt. #57) | X | Not for deliberations | 9/20/17 | 9/20/17 |
| 25 | 91 | Order on Joint Discovery Stipulation (Dkt. #58) | X | Not for deliberations | 9/20/17 | 9/20/17 |
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|-----|---|---|--|---------|---------|
| 92 | Report and Recommendation Granting in Part and Denying in Part Plaintiff's Motion for Sanctions (Dkt. #87) | X | | | |
| 93 | Order Accepting Report and Recommendation of U.S. Magistrate Judge With One Modification (Dkt. #92) | X | | | |
| 94 | 2013 Email between Imagenetix and Robinson Pharma, Term Sheet (IMAG-00002713-14) | X | | 9/19/17 | 9/19/17 |
| 95 | 2013 Emails between Imagenetix and to Robinson Pharma (IMAG-00002546-47) | X | | | |
| 96 | 2013 Emails between Imagenetix and to Robinson Pharma (IMAG-00003128-30) | X | | | |
| 97 | 2010 Email re: Robinson Pharma (IMAG-0007667) | X | | | |
| 98 | 2010 Email re: Robinson Pharma (IMAG-0002923) | X | | | |
| 99 | 2009 Email re: Robinson Pharma (IMAG-0003261) | X | | | |
| 100 | Arthro-7 reviews: http://www.arthro7reviews.com/written_testimonials.aspx | X | | | |
| 101 | U.S. Doctors' Clinical Arthro-7 testimonial (IMAG-00001958) | X | | 9/20/17 | 9/20/17 |
| 102 | U.S. Doctors' Clinical | X | | | |

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|-----|--|---|--|---------|---------|
| | Arthro-7 testimonials (IMAG-00000255) | | | | |
| 103 | Arthro-7 testimonials (IMAG-00000366) | X | | 9/19/17 | 9/19/17 |
| 104 | Garda Vita Arthro-7 product reviews (IMAG-00000583) | X | | | |
| 105 | Nikken Label (IMAG00008620) | X | | | |
| 106 | Robinson Pharma packing label for Nikken softgels (IMAG-00000350) | X | | | |
| 107 | “Cetylated Fatty Acids Improve Knee Function in Patients with Osteoarthritis” study (IMAG-0000103-111) | X | | 9/19/17 | 9/19/17 |
| 108 | “Effect of a Cetylated Fatty Acid Topical Cream on Functional Mobility and Quality of Life of Patients with Osteoarthritis” study (IMAG-0000112-128) | X | | 9/19/17 | 9/19/17 |
| 109 | “Effects of Treatment with Cetylated Fatty Acid Topical Cream on Static Postural Stability and Plantar Pressure Distribution in Patients with Knee Osteoarthritis” study (IMAG-0000129-135) | X | | 9/19/17 | 9/19/17 |
| 110 | “A Cetylated Fatty Acid Topical Cream with Menthol Reduces Pain and Improves Functional Performance in Patients with Arthritis” study (IMAG-0000136-156) | X | | | |
| 111 | “Incorporation of Myristyl | X | | | |

12

SECOND AMENDED JOINT EXHIBIT LIST
CASE NO. SACV15-599 JLS (JCGx)

| | | | | | |
|-----|---|---|--|---------|---------|
| | Hexadecanol and Its Metabolites into Membranes of Tissues and White Blood Cells of Rats” study (IMAG-0000157-173) | | | | |
| 112 | Arthritis article: www.cdc.gov/arthritis/basics/rheumatoid.htm | X | | | |
| 113 | Expert Report of D. Scott Bosworth, CFA | X | | 9/20/17 | 9/20/17 |
| 114 | Expert Report of Stuart L. Silverman, M.D. FACP FACR | X | | 9/20/17 | 9/20/17 |
| 115 | Phan Dep. Tr. (Sept. 30, 2015) | X | | | |
| 116 | Phan Dep. Tr. (Oct. 14, 2016) | X | | | |
| 117 | Spencer Decl. (Dec. 29, 2014) (Dkt. #14-1) | X | | | |
| 118 | Nguyen Decl. (Nov. 26, 2014) (Dkt. #7-2) | X | | | |
| 119 | Supplemental Nguyen Decl. (Jan. 5, 2015) (Dkt. #15-1)_ | X | | | |
| 120 | DRM Company Profile (IMAG-0000353) | X | | | |
| 121 | Robinson Pharma about us webpage (IMAG-0001019) | X | | | |
| 122 | Robinson Pharma, Inc. brochure (IMAG-0001026) | X | | | |
| 123 | 2015 Emails re: Schnucks Markets and US Doctors’ Clinical formulas (Robinson012429-41) | X | | | |
| 124 | U.S. Doctors’ Clinical Arthro-7 webpage: | X | | | |

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|----|-----|---|---|--|---------|---------|
| 1 | | http://www.usdoctorsclinical.com/arthro-7-joint-health-dietary-supplement (IMAG-0001049) | | | | |
| 2 | 125 | U.S. Doctors' Clinical Arthro-7 webpage (IMAG-0001960) | X | | | |
| 3 | 126 | U.S. Doctors' Clinical Arthro-8 advertisement (IMAG-0001962) | X | | | |
| 4 | 127 | 2015 Email re: Walgreens Initial Forecast (Robinson012474) | X | | | |
| 5 | 128 | Arthro-7 website (IMAG-0000284) | X | | 9/20/17 | 9/20/17 |
| 6 | 129 | Arthro-7 website (IMAG-0000305) | X | | | |
| 7 | 130 | Arthro-7 online product information (IMAG-0000294) | X | | | |
| 8 | 131 | Arthro7 Facebook page (IMAG-0000238, 204-05) | X | | | |
| 9 | 132 | Arthro-7 label copy (IMAG-0000356) | X | | | |
| 10 | 133 | Arthro-7 product information (IMAG-0005640) | X | | | |
| 11 | 134 | Arthro-7 Supplement Facts (IMAG-0000323) | X | | 9/19/17 | 9/19/17 |
| 12 | 135 | Nutrivita Arthro-7 webpage (IMAG-0001004) | X | | | |
| 13 | 136 | Nutrivita Arthro-7 webpage (IMAG-0001008) | X | | | |
| 14 | 137 | Nutrivita Amazon webpage (IMAG-0000210) | X | | | |
| 15 | 138 | Gardavita Journal of | X | | | |

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|-----|--|---|--|---------|---------|
| | Longevity Catalog (IMAG-0001040) | | | | |
| 139 | Gardavita Arthro-7 webpage (IMAG-0000578) | X | | | |
| 140 | Gardavita Arthro-8 webpage (IMAG-0000593) | X | | | |
| 141 | Gardavita Amazon webpage (IMAG-0000206) | X | | | |
| 142 | Gardavita email advertisement for Arthro-7 (IMAG-0002888) | X | | | |
| 143 | Gardavita advertisement for Arthro-7 (IMAG-0000201-02) | X | | 9/19/17 | 9/19/17 |
| 144 | GVI Product details for Arthro-7 (IMAG-0000810) | X | | | |
| 145 | Rakuten.com sale of Arthro- 7 (IMAG-0000218) | X | | | |
| 146 | Herbs & Vitamins sale of Arthro-8 (IMAG-0000334) | X | | | |
| 147 | Walgreens sale of Arthro-7 (IMAG-0000223) | X | | | |
| 148 | Walgreens receipt (IMAG-0008403) | X | | | |
| 149 | GNC sale of Arthro-7 (IMAG-0000215) | X | | | |
| 150 | Email chain re CM oil (Robinson000043-44) | X | | | |
| 151 | Magazine advertisements (Robinson000049-62) | X | | | |
| 152 | Declaration of Stuart L. Silverman, MD (Robinson006772-6776) | X | | 9/20/17 | 9/20/17 |
| 153 | Original File Wrapper for | X | | | |

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|-----|--|---|--|---------|---------|
| | the '676 patent (Robinson 007424-7532) | | | | |
| 154 | Proprietary blend formula (Robinson012030) | X | | | |
| 155 | Doctor's Clinical advertisements (Robinson012247-50) | X | | | |
| 156 | Robinson Pharma website page (NATHAN & ASSOC. 11-24) | X | | | |
| 157 | Robinson Pharma Income Statement (NATHAN & ASSOC. 590-91) | X | | 9/20/17 | 9/20/17 |
| 158 | Gero Vita Income Statement (NATHAN & ASSOC. 592-95) | X | | | |
| 159 | Nutrivita Income (NATHAN & ASSOC. 596-99) | X | | | |
| 160 | Assignment of U.S. Patent No. 5,569,676 (IMAG-000099-101) | X | | | |
| 161 | Arthro-7 TV commercial (IMAG-000235) | X | | | |
| 162 | Arthro-8 website (IMAG-000324-333) | X | | 9/19/17 | 9/19/17 |
| 163 | Email from Robinson turning down purchase of Celadrin and patent (IMAG-3057) | X | | 9/19/17 | 9/19/17 |
| 164 | Rebuttal Expert Report of Hank J. Kahrs, CPA/ABV/CFF, CFE, CMA | X | | | |
| 165 | Rebuttal Expert Report of Bruce Freundlich, MD | X | | 9/21/17 | 9/21/17 |
| 166 | Email chain attaching Kim Vanderlindin notes re Imagenetix's lawsuits and | X | | | |

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|-----|--|---|--|--|--|
| | potential lawsuits (IMAG-005650-52) | | | | |
| 167 | Kim Vanderlindin notes re Imagenetix's lawsuits and potential lawsuits (IMAG-005658-669) | X | | | |
| 168 | November 6, 2013 Letter from Kotchen & Low LLP to BioCell (IMAG-000349) | X | | | |
| 169 | November 6, 2013 Letter from Kotchen & Low LLP to Douglas Laboratories (IMAG-000355) | X | | | |
| 170 | November 6, 2013 Letter from Kotchen & Low LLP to EHP Products (IMAG-000357) | X | | | |
| 171 | November 6, 2013 Letter from Kotchen & Low LLP to Flexcin International (IMAG-000526) | X | | | |
| 172 | November 6, 2013 Letter from Kotchen & Low LLP to Jarrow Formulas (IMAG-000822) | X | | | |
| 173 | November 6, 2013 Letter from Kotchen & Low LLP to Natrol Products (IMAG-000988) | X | | | |
| 174 | November 6, 2013 Letter from Kotchen & Low LLP to Natural Products Center (IMAG-000989) | X | | | |

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| 175 | November 6, 2013 Letter from Kotchen & Low LLP to Natural Standard Corporation (IMAG-000990) | X | | | |
| 176 | March 11, 2014 Letter from Kotchen & Low LLP to Neways Enterprises (IMAG-000991-1002) | X | | | |
| 177 | November 6, 2013 Letter from Kotchen & Low LLP to Next Level Nutrition (IMAG-001003) | X | | | |
| 178 | November 6, 2013 Letter from Kotchen & Low LLP to PermaHealth (IMAG-001013) | X | | | |
| 179 | November 6, 2013 Letter from Kotchen & Low LLP to Platinum Performance (IMAG-001014) | X | | | |
| 180 | November 6, 2013 Letter from Kotchen & Low LLP to Pureformulas (IMAG-001015) | X | | | |
| 181 | November 6, 2013 Letter from Kotchen & Low LLP to Rocking S (IMAG-001016) | X | | | |
| 182 | November 6, 2013 Letter from Kotchen & Low LLP to Rich Distributing (IMAG-001017) | X | | | |
| 183 | November 6, 2013 Letter from Kotchen & Low LLP to Dr. Ray Sahelian (IMAG-001036) | X | | | |

| | | | | | |
|-----|---|---|-----------------------|---------|---------|
| 184 | November 6, 2013 Letter from Kotchen & Low LLP to Silver Bullet Health and Nutritionals (IMAG-001044) | X | | | |
| 185 | November 6, 2013 Letter from Kotchen & Low LLP to ViriLife (IMAG-001964) | X | | | |
| 186 | November 6, 2013 Letter from Kotchen & Low LLP to Water Health Holistic Services (IMAG-001967) | X | | | |
| 187 | Emails re cetylmax and flexadrin 9/17/2005 (IMAG-04394) | X | | | |
| 188 | Cetyl Myristoleate article (IMAG-4397) | X | | | |
| 189 | All discovery propounded by Defendants to Imagenetix | X | | | |
| 190 | All discovery responses from Imagenetix to Defendants | X | Not for deliberations | 9/19/17 | 9/19/17 |
| 191 | CVS Production | X | | | |
| 192 | U.S. Doctor's Clinical Website (IMAG-277-79) | X | | | |
| 193 | Letter from D. Gallaher (IMAG-102) | X | | | |
| 194 | FTC-EHP Complaint | X | | 9/19/17 | 9/19/17 |

| | | | | | | |
|----|-----|---|---|--|---------|---------|
| 1 | 195 | FTC-EHP – Proposed Consent Order | X | | 9/19/17 | 9/19/17 |
| 2 | | | | | | |
| 3 | 196 | FTC-EHP - Analysis | X | | | |
| 4 | | | | | | |
| 5 | 197 | Cetylated Fatty Acids Slide (IMAG-174) | X | | | |
| 6 | | | | | | |
| 7 | 198 | Robinson Pharma Website (NATHAN & ASSOC. 63-65) | X | | | |
| 8 | | | | | | |
| 9 | 199 | Gardavita Website (NATHAN & ASSOC. 68-70) | X | | | |
| 10 | | | | | | |
| 11 | 200 | Arthro7 Website (NATHAN & ASSOC. 71-73) | X | | 9/20/17 | 9/20/17 |
| 12 | | | | | | |
| 13 | 201 | Arthro7 Website (NATHAN & ASSOC. 87-80) | X | | | |
| 14 | | | | | | |
| 15 | 202 | Gardavita Website (NATHAN & ASSOC. 81-83) | X | | | |
| 16 | | | | | | |
| 17 | 203 | Arthro-7 Presentation (NATHAN & ASSOC. 545-549) | X | | | |
| 18 | | | | | | |
| 19 | 204 | Arthro-7 Sales Data (NATHAN & ASSOC. 564) | X | | | |
| 20 | | | | | | |
| 21 | 205 | Rite Aid Production (RA 24-26) | X | | | |
| 22 | | | | | | |
| 23 | 206 | Walgreens Production (WAG1-6) | X | | | |
| 24 | | | | | | |
| 25 | 207 | Arthro7 Website | X | | | |
| 26 | | | | | | |

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|----|-----|----------------------------|---|--|---------|---------|
| 1 | 208 | Celadrin Box (IMAG-181-82) | X | | | |
| 2 | | | | | | |
| 3 | 209 | Patent License Agreement | X | | 9/19/17 | 9/19/17 |
| 4 | | 2000 EHP | | | | |
| 5 | 210 | Ltr Imagenetix to EHP | X | | 9/19/17 | 9/19/17 |
| 6 | | | | | | |
| 7 | 211 | Ltr EHP to Imagenetix | X | | | |
| 8 | | | | | | |
| 9 | 212 | Ltr EHP to Imagenetix | X | | 9/19/17 | 9/19/17 |
| 10 | | | | | | |
| 11 | 213 | Patent License Agreement | X | | 9/19/17 | 9/19/17 |
| 12 | | | | | | |
| 13 | 214 | Celadrin Box | X | | 9/20/17 | 9/20/17 |
| 14 | | | | | | |
| 15 | 215 | Celadrin Costco web page | X | | | |
| 16 | | | | | | |
| 17 | 216 | FTC Decision and Order | X | | 9/19/17 | 9/19/17 |
| 18 | | | | | | |
| 19 | 217 | NAD Challenge re claims | X | | | |
| 20 | | | | | | |
| 21 | 218 | Celadrin Product Sample | X | | | |
| 22 | | (and photo of sample) | | | | |
| 23 | | (IMAG-9839) | | | | |
| 24 | 219 | Defendants' Opening Claim | X | | | |
| 25 | | Construction Brief (Dkt. | | | | |
| 26 | | #43) | | | | |
| 27 | 220 | Arthro-7 Commercial Still | X | | 9/20/17 | 9/20/17 |
| 28 | | (IMAG-0000236) | | | | |

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|-----|--|---|--|---------|---------|
| 221 | GVI Arthro-7 Website screenshot (IMAG-0000800) | X | | | |
| 222 | Gardavita Magazine Pages (IMAG-0000377) | X | | 9/19/17 | 9/19/17 |
| 223 | Arthro-7 Sales Data (NATHAN & ASSOC. 1) | X | | | |
| 225 | IMAG response to Robinson turning down purchase of Celadrin (IMAG-2542-2544) | X | | | |
| 226 | IMAG term sheet for sale of Celadrin (IMAG-2551-2552) | X | | | |
| 227 | Dr. Glade report re Celadrin (IMAG-2647-2668) | X | | 9/19/17 | 9/19/17 |
| 228 | PNI Agreement (11/09) (IMAG-2941-2961) | X | | | |
| 229 | Term sheet to NOW (IMAG-3214) | X | | | |
| 230 | IMAG Notes on Response to NAD (IMAG 3867-3872) | X | | | |
| 231 | Memo re funds needed to exit bankruptcy (IMAG 5632) | X | | 9/19/17 | 9/19/17 |
| 233 | Term sheet for license of Celadrin (IMAG 5710-5711) | X | | | |
| 234 | IMAG response to NAD (IMAG-6132) | X | | | |

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|----|-----|--|---|--|---------|---------|
| 1 | 235 | IMAG Board agenda (IMAG 6133) | X | | | |
| 2 | | | | | | |
| 3 | 236 | IMAG Board Minutes (6/9/15) (IMAG-7050-7052) | X | | | |
| 4 | | | | | | |
| 5 | 237 | Hesslink email (11/21/09) (IMAG 7094) | X | | | |
| 6 | | | | | | |
| 7 | 238 | Term sheet for Celadrin License to NOW Foods (IMAG7141-7142) | X | | | |
| 8 | | | | | | |
| 9 | | | | | | |
| 10 | 239 | Hesslink email (11/6/09) (IMAG7661) | X | | | |
| 11 | | | | | | |
| 12 | 240 | Hesslink study of Celadrin (IMAG-8336-8354) | X | | | |
| 13 | | | | | | |
| 14 | 241 | Celadrin labels (IMAG 8404) | X | | | |
| 15 | | | | | | |
| 16 | 242 | Celadrin sell sheet 2007 (IMAG9511) | X | | 9/19/17 | 9/19/17 |
| 17 | | | | | | |
| 18 | 243 | Celadrin sales (2000-2012) (IMAG 9705) | X | | | |
| 19 | | | | | | |
| 20 | 244 | Nikken Settlement Agreement (IMAG 9859-9870) | X | | 9/20/17 | 9/20/17 |
| 21 | | | | | | |
| 22 | 245 | Arthro7.biz Wayback Machine Screenshots | X | | 9/20/17 | 9/20/17 |
| 23 | | | | | | |
| 24 | 246 | Arthro7 Booklet (from Arthro7.biz) | X | | | |
| 25 | | | | | | |

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| 1 | 247 | Arthro7 Sell Sheets (IMAG 4966-68) | X | | 9/19/17 | 9/19/17 |
| 2 | | | | | | |
| 3 | 248 | Arthro7.biz Printout (Nathan & Assoc. 43-44) | X | | | |
| 4 | | | | | | |
| 5 | 249 | Arthro7 Purchase Orders (Nathan & Assoc. 635-683) | X | | | |
| 6 | | | | | | |
| 7 | 250 | Arthro7 Purchase Orders (Nathan & Assoc. 684-789) | X | | | |
| 8 | | | | | | |
| 9 | 251 | Phan Depo Ex. 13 (2015) - VitaStrong/Garda Vita sale summary of Arthro-7 and Arthro-8 (Robinson000003) | X | | | |
| 10 | | | | | | |
| 11 | | | | | | |
| 12 | 252 | Phan Depo Ex. 13 (2016) - Arthro-7 advertisement (NATHAN & ASSOC. 563) | X | | 9/19/17 | 9/19/17 |
| 13 | | | | | | |
| 14 | 253 | Phan Depo Ex. 14 (2015) - Nutrivita Lab sale summary of Arthro-7 (Robinson000004) | X | | | |
| 15 | | | | | | |
| 16 | | | | | | |
| 17 | 254 | Phan Depo Ex. 14 (2016) - Joint Support Complex Summary of Clinical Trial Results (NATHAN & ASSOC. 551-559) | X | | | |
| 18 | | | | | | |
| 19 | | | | | | |
| 20 | | | | | | |
| 21 | 255 | Phan Depo Ex. 15 (2015) - US Doctor's Clinical sale summary of Arthro-7 (Robinson000005) | X | | | |
| 22 | | | | | | |
| 23 | | | | | | |
| 24 | 256 | Phan Depo Ex. 16 (2015) - Arthro-8 packaging (Robinson000038-39) | X | | | |
| 25 | | | | | | |

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|-----|---|---|--|---------|---------|
| 257 | Phan Depo Ex. 17 (2015) - U.S. Doctor's Clinical Arthro-8 website (IMAG-0001962) | X | | | |
| 258 | Phan Depo Ex. 18 (2015) - Robinson Pharma Inc. Arthro-7 Cost 60 Counts (Robinson000006) | X | | | |
| 259 | Phan Depo Ex. 19 (2015) - VitaStrong magazine advertisement for Arthro-7 (Robinson000048-53) | X | | | |
| 260 | Phan Depo Ex. 20 (2015) - GardaVita magazine advertisement for Arthro-7 (Robinson000055-60) | X | | | |
| 261 | Phan Depo Ex. 21 (2015) - Arthro-7 packaging (Robinson000032-33) | X | | | |
| 262 | Phan Depo Ex. 22 (2015) - Arthro-7 packaging (Robinson000034) | X | | | |
| 263 | Arthro7 Bottle and Box (physical object) | X | | | |
| 264 | Arthro8 Bottle (physical object) | X | | | |
| 265 | Celadrin Bottle and Box (physical object) | X | | | |
| 266 | Arthro-7 Commercial: Video Ex. 1 - Arthro-7® Clinically Proven Joint Support Formula - TV Spot 30 Sec | X | | 9/19/17 | 9/19/17 |
| 267 | Arthro-7 Commercial: Video Ex. 2 - Arthro-7 - Victoria's Testimonial | X | | 9/19/17 | 9/19/17 |

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|-----|---|---|--|---------|---------|
| 268 | Arthro-7 Commercial: Video Ex. 3 - Arthro-7 2-min Infomercial | X | | | |
| 269 | Arthro-7 Commercial: Video Ex. 4 - Arthro-7 5-min Infomercial | X | | | |
| 270 | Arthro-7 Commercial: Video Ex. 5 - Clinically Proven Arthro-7® - U.S. Doctor's Clinical® | X | | | |
| 271 | Arthro-7 Commercial: Video Ex. 6 - Arthro-7 - Joe's Testimonial | X | | | |
| 272 | Arthro-7 Commercial: Video Ex. 7 - Arthro-7 Sport - 15 Sec | X | | | |
| 273 | Arthro-7 Commercial: Video Ex. 8 - Clinically Proven Arthro-7® - U.S. Doctors' Clinical® - Modern Living | X | | 9/19/17 | 9/19/17 |
| 274 | Arthro-7 Commercial: Video Ex. 9 - U.S. Doctors' Clinical® - TV Spot 15 Sec | X | | | |

Respectfully submitted,

Dated: September 18, 2017

KOTCHEN & LOW LLP

By: /s/Daniel Kotchen
Daniel Kotchen
Michael von Klemperer

Attorneys for IMAGENETIX, INC. AND
BANKRUPTCY TRUSTEE

NG DO-KHANH, PC

By: /s/Anthony Cartee

Anthony Cartee, Esq.

Attorney for Defendants

SIGNATURE ATTESTATION

I certify that the aforementioned signatories concur in the filing's content and have authorized the filing of this document.

By: /s/Daniel Kotchen

Daniel Kotchen

Attorney for IMAGENETIX, INC. AND
BANKRUPTCY TRUSTEE

CERTIFICATE OF SERVICE

I certify that the foregoing document was filed through the Court's CM/ECF system, which will serve copies on all counsel of record.

By: /s/Daniel Kotchen

Daniel Kotchen

Attorney for IMAGENETIX, INC. AND
BANKRUPTCY TRUSTEE

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13
14

15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**
17

18 IMAGENETIX, INC.,

19 Plaintiff,

20 v.

21 ROBINSON PHARMA, INC., et. al.,

22 Defendants.
23
24
25
26

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CLINICAL, INC., d/b/a U.S.
Doctor's Clinical; GERO VITA;
NUTRIVITA LABORATORIES,
INC.; VITASTRONG, INC.,
d/b/a GardaVita

Case No. SACV15-599 JLS (JCGx)

**AMENDED JOINT WITNESS
LIST**

Fact Discovery Cut-Off: 7/26/16
Pre-Trial Conference Date: 3/3/17
Trial Date: 3/28/17

| Amended Joint Witness List¹ | | | | | |
|---|---------------------------|------------------------------------|-----------------------|--|--|
| Case Name: Imagenetix, Inc. v. Robinson Pharma, <i>et al.</i> | | | | | |
| Case Number: SACV15-599 JLS (JCGx) | | | | | |
| No. of Witness | Witness Name | Party Calling Witness and Estimate | X-Examiner's Estimate | | Comments |
| 1 | Giffhorn, Lowell | Plaintiff – 3.0 | Defendant – 1.5 | | |
| 2 | Spencer, William (“Bill”) | Plaintiff – 3.0 | Defendant – 1.5 | | Sworn/Testified 9/19/17 |
| 3 | Silverman, Stuart L. | Plaintiff – 1.5 | Defendant – 1.0 | | Sworn/Testified 9/20/17 |
| 4 | Bosworth, Dennis S. | Plaintiff – 3.0 | Defendant – 1.5 | | Sworn/Testified 9/20/17, 9/21/17 |
| 5 | Nguyen, Tuong “Tom” | Plaintiff – 1.25 | Defendant – 1.0 | | Sworn/Testified 9/19/17, 9/20/17, Assisted by Vietnamese Interpreter, Lee Mary Ginter |
| 6 | Phan, Elaine (*) | Plaintiff – 1.0 | Defendant – 1.0 | | Sworn/Testified 9/20/17 |
| 7. | Nguyen, Tom | Defendant – 1.5 | Plaintiff – 1.0 | | Needs interpreter |
| 8. | Phan, Elaine | Defendant – 3.0 | Plaintiff – 2.0 | | |
| 9. | Pham, Henry | Defendant – 1.5 | Plaintiff – 0.5 | | |
| 11. | Freundlich, Dr. Bruce | Defendant – 1.0 | Plaintiff – 0.75 | | Sworn/Testified 9/21/17 |
| 14. | Kahrs, | Defendant – | Plaintiff – | | Sworn/Testified |

¹ Witnesses marked with an asterisk (*) may be called only if the need arises.

| | | | | | | |
|---|-----|---------------------|--------------------|---------------------|--|---------|
| 1 | | Henry | 1.5 | 1.0 | | 9/21/17 |
| 2 | 15. | Spencer, William | Defendant – 0.5 | Plaintiff – 0.25 | | |
| 3 | | (*) | | | | |